

Amendments to the Drawings:

The attached sheets of drawings are formal drawings replacing the informal drawings originally filed with the application.

Attachment: Replacement Sheets

REMARKS

The applicants note with appreciation the acknowledgement of the claim for priority under section 119 and the notice that all of the certified copies of the priority documents have been received.

The applicants acknowledge and appreciate receiving a copy of form PTO-1449, on which the examiner has initialed all listed items.

The drawings are objected to by the Draftsperson. The application was originally filed with informal drawings. Formal drawings are now submitted herewith. Withdrawal of the objection is respectfully requested.

Claims 1 – 16 are pending. Claims 9 – 16 have been added. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claim 1 was rejected under 35 USC 102(e) as being anticipated by US Patent 6,624,747, Friederich et al. (“Friederich”). The rejection is respectfully traversed for reasons including the following, which are provided by way of example.

According to the claims, e.g., claim 1, the invention is directed to a collision avoidance control system for a vehicle. There is provided a collision avoidance deceleration determining circuit working to determine a target collision avoidance deceleration required for a system vehicle equipped with this system to bring a relative speed between the system vehicle and a target object present ahead of the system vehicle into agreement with substantially zero without a physical collision with the target object. Also provided is a control circuit working to determine

a possibility of collision with the target object as a function of the target collision avoidance deceleration, when the possibility of collision is higher than a given threshold level, said control circuit performing a predetermined collision avoidance operation. (E.g., claim 1.)

Without conceding that Friederich discloses any feature of the present invention, Friederich is directed to a method for preventing the collision of a vehicle with an obstacle located in front of the vehicle and braking device. According to Friederich, “an automatic braking operation is triggered ... as a function of the signal detected by the sensors, whenever a collision with the other vehicle traveling in front of the vehicle or a collision with another obstacle can no longer be avoided” (Col. 4, lines 8 – 13). Friederich calculates an inter-vehicle distance when the vehicle is fully braked at a maximum deceleration. The Friederich system applies the brake to the vehicle until a relative speed reaches zero and does not calculate the maximum deceleration itself.

The office action asserts that Friederich discloses the invention as claimed. To the contrary, Friederich fails to teach or suggest the invention, as presently claimed, when the claims are considered as a whole. Friederich fails to teach or suggests, for example, “a collision avoidance deceleration determining circuit working to determine a target collision avoidance deceleration” ... (See, e.g., claim 1.) To the contrary, Friederich fails to teach or suggest a calculation of deceleration, as claimed.

Friederich fails to teach or suggest, for example, these elements recited in independent claim 1. It is respectfully submitted therefore that claim 1 is patentable over Friederich.

For at least these reasons, the combination of features recited in independent claim 1, when interpreted as a whole, is submitted to patentably distinguish over the prior art. In addition, Friederich clearly fails to show other claimed features as well.

The Examiner has noted the allowability of dependent claims 2 – 8.

New claims 9 - 16 have been added to further define the invention. Dependent claims 10 – 16 correspond to original dependent claims 2 – 8, respectively. The new claims are believed to be patentable for reasons including these set out above.

The applicants respectfully submit that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. The applicants do not concede that the cited prior art shown any of the elements recited in the claims. However, the applicants have provided specific examples of elements in the claims that are clearly not present in the cited prior art.

The applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples applicant has described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, for the sake of simplicity, the applicants have provided examples of why the claims described above are distinguishable over the cited prior art.

In view of the forgoing, the applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

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Please charge any unforeseen fees that may be due to Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Cynthia K. Nicholson', written over a horizontal line.

Cynthia K. Nicholson

Reg. No. 36,880

Posz & Bethards, PLC
11250 Roger Bacon Drive, Suite 10
Reston, VA 20190
Phone 703-707-9110
Fax 703-707-9112
Customer No. 23400